

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 2/21/2023
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TRUSTEES OF THE NEW YORK CITY :
DISTRICT COUNCIL OF CARPENTERS :
PENSION FUND, WELFARE FUND, :
ANNUITY FUND, AND APPRENTICESHIP, :
JOURNEYMAN RETRAINING, :
EDUCATIONAL AND INDUSTRY FUND, :
TRUSTEES OF THE NEW YORK CITY :
CARPENTERS RELIEF AND CHARITY FUND, :
and THE CARPENTER CONTRACTOR :
ALLIANCE OF METROPOLITAN NEW YORK, :
:
Petitioners, :
:
-v- :
:
P & J WOOD FLOORS, INC., :
:
Respondent. :
:
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1:22-cv-9386-GHW

ORDER

GREGORY H. WOODS, United States District Judge:

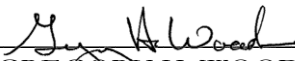
In support of its motion for summary judgment, Dkt. No. 12, Petitioners filed a declaration by William Davidian. *See* Dkt. No. 13-1. In his declaration, Mr. Davidian declares that the “CBA binds Respondent to the policies, rules, and regulations adopted by the Funds. *See* Ex. B, Art. XV(D).” *Id.* ¶ 10. The Court’s review of the CBA failed to reveal language to that effect in Art. XV of the CBA or elsewhere. Accordingly, Petitioners are directed to file supplemental briefing by February 23, 2022 clarifying the declaration of Mr. Davidian on this point.

Furthermore, Petitioners are also directed to provide supplemental briefing explaining how the record supports the designation and use of J.J. Pierson as the arbitrator here, given that the CBA lists Roger Maher, Richard Adelman, or Bonnie Weinstock as the only designated arbitrators. CBA

Art. XI(H). Petitioners are further directed to serve this order on Respondent and to retain proof of service.

SO ORDERED.

Dated: February 21, 2023
New York, New York



GREGORY H. WOODS
United States District Judge